



MEMO ENDORSED

MICHAEL A. CARDOZO
Corporation Counsel

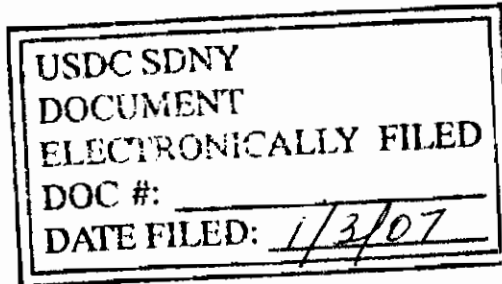
THE CITY OF NEW YORK
LAW DEPARTMENT
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December 29, 2006

BY FAX

The Honorable James C. Francis IV
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street - Room 1960
New York, New York 10007-1312



LEAD CASE
04 CIV 7922
(KMK) (JCF)
DOCKET IN
BOTH CASES

Re: Cooper, et al. v. The City of New York, et al. (05 CV 7576 (KMK)(JCF))
Emmer, et al. v. The City of New York, et al. (05 CV 9993 (KMK)(JCF))

Dear Judge Francis:

On behalf of plaintiffs and defendants, I write to request an enlargement of time in these actions. The Case Management Orders in these actions provide that all depositions of fact witnesses shall have been noticed by Monday, January 1. To date, the parties have exchanged written requests for discovery including interrogatories and document requests. Defendants have produced a large volume of documents as well as consolidated witnesses for deposition. Defendants now are in the process of producing arresting officers and other witnesses pursuant to Discovery Order #2. In addition, the parties are exploring the possibility of settlement in these cases. I have consulted with plaintiffs' counsel, Earl Ward, and both sides need additional time to identify witnesses and notice depositions in these cases (or to resolve these cases through settlement). Accordingly, plaintiffs and defendants jointly request that the Court grant a 4-month extension on the remaining deadlines in the CMOs in these cases. If this meets with your approval, would you please "so order" it? Thank you.

Very truly yours,

James Mirro

cc: Earl Ward (by fax)

An extension of 3 months is granted.
No further extensions.

SO ORDERED.

James C. Francis IV
USMJ